

## Swimland Swim Club Grievance Procedure - extracted from the Swimland Swim Club Constitution

### Grievance:

23. (1) Where a member of the Club has a grievance arising from their involvement in the activities of the Club, whatever that may be, with another member, officer or employee of the Club, and that member considers that the grievance warrants investigation and action by the Club that member shall follow the procedure in this clause. If the grievance is a matter which is dealt with in the Member Protection Policy of Australian Swimming it shall be dealt with in accordance with the Member Protection Policy.

#### (2) **Grievance Officer shall be appointed by the Committee**

The member shall contact, the Club Grievance Officer, who has been appointed by the Committee, and advise that they have a grievance that they wish to discuss. The identity of the Club Grievance Officer will be communicated to all members of the Club in writing each year. Where a grievance is to be submitted in writing it should be addressed clearly to the Club Grievance Officer, and marked "Private and confidential".

#### (3) **Action by Grievance Officer**

- (a) Where a grievance has been received by the Club Grievance Officer, he shall as soon as practicable, discuss the grievance with the aggrieved party. The Club Grievance Officer may take whatever steps and conduct whatever investigations necessary to determine whether a grievance is legitimate.
- (b) Where the Club Grievance Officer determines that the grievance is legitimate he shall take all necessary steps to resolve the grievance. He may recommend to the Committee what he considers an appropriate action.
- (c) Where the Club Grievance Officer determines that the grievance is not legitimate he shall advise the aggrieved party accordingly in writing. If the aggrieved party is not satisfied with the Club Grievance Officer's determination they may appeal to the Club Committee.
- (d) Where the Club Grievance Officer is unable to resolve a grievance or considers the grievance of a very serious nature he shall report the grievance to the Secretary and/or the Committee.
- (e) All grievances received by the Club Grievance Officer, and all information surrounding the circumstances of a grievance which is discovered by the Club Grievance Officer on investigation shall be confidential and may only be communicated to the Secretary and/or the Committee.

#### (4) **Procedures by a Grievance Officer**

In investigating a grievance and/or determining its legitimacy, the Club Grievance Officer shall observe the rules of natural justice, and apply the procedures (if any) specified in the By-Laws.

### Discipline of Members

24 The Committee may refer the following matters to SV with a request that they be investigated or determined by the Hearings Tribunal in its sole discretion:

- (a) An allegation or grievance (not being vexatious, trifling or frivolous) by a complainant (who may be, but need not be, a Member) that a Club or Member has:
  - (i) breached, failed, refused or neglected to comply with a provision of this Constitution, the By-Laws or any other resolution or determination of the Committee or duly authorised committee; or
  - (ii) Acted in a manner unbecoming of a Member or prejudicial to the Objects and interests of the Club and/or swimming; or
  - (iii) brought the Club or swimming into disrepute; or
  - (iv) breached the Member Protection Policy of ASI, or any other policy or rule of ASI; or any policy or rule of SV; or

(v) Committed an act of misconduct.

And any such Member will be subject to, and submits unreservedly to the jurisdiction, procedures, penalties and appeal mechanisms of SV set out in the SV Constitution or By-Laws.

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